

1 SENATE JOINT RESOLUTION

2 WHEREAS, The bounty of agriculture from the State of
3 Illinois is a primary source of high-quality foods that
4 nourish the people of the world, and the global consumption
5 of the produce of Illinois' agriculture is expected to grow
6 at least three percent annually for the next two decades; and

7 WHEREAS, The markets for Illinois' agricultural products
8 are increasingly global and complex, and Illinois farmers,
9 marketers, suppliers, and food, feed, fiber, and medical and
10 industrial raw material processors have a need to take steps
11 to protect the viability of their operations against the
12 vagaries of the global agricultural market while taking
13 advantage of value-added opportunities; and

14 WHEREAS, In recent years, Illinois' farmers, marketers,
15 suppliers, and food, feed, fiber, and medical and industrial
16 raw material processors have responded to the uncertainties
17 and complexities of global markets by entering into contracts
18 to stabilize production, delivery, and pricing of
19 agricultural products; and

20 WHEREAS, Illinois' agricultural economy has a need for a
21 consistent framework for these contracts, so as to ensure
22 that efforts to reduce the uncertainties of global
23 agricultural markets that face Illinois' farmers, marketers,
24 suppliers, and food, feed, fiber, and medical and industrial
25 raw material processors is done within a framework that is
26 fair to farmers and processors; that improves Illinois'
27 competitive advantage in retaining and attracting agriculture
28 and agriculture-related businesses; and that increases the
29 competitive advantage of Illinois' agricultural products in
30 the growing global markets; and

31 WHEREAS, Illinois' lawmakers are challenged to respond to
32 the needs of Illinois' agricultural economy in a manner that

1 is fair to every segment of Illinois' agricultural economy
2 and that provides the greatest opportunity for the economic
3 viability and growth of all components of Illinois'
4 agricultural economy; therefore, be it

5 RESOLVED BY THE SENATE OF THE NINETY-SECOND GENERAL
6 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF
7 REPRESENTATIVES CONCURRING HEREIN, that the Attorney General
8 and the Director of Agriculture are urged to convene a panel
9 of interested parties; and be it further

10 RESOLVED, That the panel should conduct an independent
11 review of the guidelines, rules, and laws that currently
12 apply to the execution and performance of agricultural
13 contracts in Illinois, with the purpose of determining what
14 protections are currently available under State and federal
15 law and of determining the need for further guidelines,
16 rules, or laws to assure clarity and basic fairness for
17 farmers, marketers, suppliers, and food, feed, fiber, and
18 medical and industrial raw material processors, that improve
19 Illinois' competitive advantage in retaining and attracting
20 agriculture and agriculture-related businesses, and that
21 increase the competitive advantage of Illinois' agricultural
22 products in the growing global markets; and be it further

23 RESOLVED, That the panel should conduct an independent
24 review of the types of agricultural production,
25 production-related, marketing, and marketing-related
26 contracts currently being used in the State of Illinois, to
27 determine the impact of the different types of available
28 contracts on Illinois' agricultural economy; and be it
29 further

30 RESOLVED, That the panel should recommend specific types
31 of education to be offered for all sectors of Illinois'
32 agricultural economy to promote the understanding of the

1 benefits and responsibilities of entering into agricultural
2 marketing, marketing-related, production, and
3 production-related contracts; and be it further

4 RESOLVED, That the panel should monitor the use of the
5 recommended education programs concerning agricultural
6 production and marketing contracts; and be it further

7 RESOLVED, That the panel should report to the General
8 Assembly, no later than January 8, 2003, on its findings; and
9 be it further

10 RESOLVED, That the panel convened should be jointly
11 chaired by the Attorney General, or his or her designee, and
12 the Director of Agriculture, or his or her designee, and
13 should be composed of representatives from the following
14 groups: the Chairman of the Senate Agriculture Committee or
15 his or her designee; the Chairman of the House Agriculture
16 Committee or his or her designee; one individual farmer
17 nominated by the Director of Agriculture; one individual
18 farmer nominated by the Attorney General; one representative
19 nominated by the Illinois Farm Bureau; one representative
20 nominated by the Illinois Farmers' Union; one representative
21 nominated by the Illinois Corn Growers' Association; one
22 representative nominated by the Illinois Soybean Association;
23 one representative nominated by the Illinois Specialty
24 Growers' Association; one representative nominated by the
25 Illinois Fertilizer and Chemical Association; one
26 representative nominated by the Grain and Feed Association of
27 Illinois; one representative nominated by the Illinois Seed
28 Trade Association; one representative nominated by the
29 Midwest Food Processors Association; one representative
30 nominated by the Illinois Pork Producers Association; one
31 representative nominated by the Illinois Beef Association;
32 one representative nominated by the Illinois Poultry
33 Association; one representative nominated by the Illinois

1 Milk Producers Association; and one representative nominated
2 by the Illinois Chamber of Commerce; and be it further

3 RESOLVED, That the panel should meet as directed by the
4 Attorney General and the Director of Agriculture, and
5 representatives shall serve without compensation; and be it
6 further

7 RESOLVED, That due to the technical legal nature of the
8 contractual law issues that will be reviewed by the panel,
9 the representatives may be assisted and advised by legal
10 counsel of their choosing, at their own expense; the presence
11 of a representative's legal counsel does not entitle that
12 representative to an additional vote in making the panel's
13 recommendations; and be it further

14 RESOLVED, That suitable copies of this resolution be
15 delivered to the Attorney General and the Director of
16 Agriculture.